

FILED**NOVEMBER 30, 2007**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION****07 C 6736**

DANIEL BARR,)
)
Plaintiff,)
)
vs.)
)
ARROW FINANCIAL SERVICES, LLC,)
)
Defendant.)

**JUDGE KENNELLY
MAGISTRATE JUDGE ASHMAN****LI****COMPLAINT**

1. Plaintiff brings this action to secure redress from unlawful collection practices engaged in by defendant Arrow Financial Services, LLC. Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. ("FDCPA"). The FDCPA broadly prohibits unfair or unconscionable collection methods; conduct which harasses, oppresses or abuses any debtor; and any false, deceptive or misleading statements, in connection with the collection of a debt; it also requires debt collectors to give debtors certain information. 15 U.S.C. §§1692d, 1692e, 1692f and 1692g.

VENUE AND JURISDICTION

2. This Court has jurisdiction under 15 U.S.C. §1692k (FDCPA), 28 U.S.C. §1331 and 28 U.S.C. §1337.

3. Venue and personal jurisdiction in this District are proper because defendant is located in this District.

PARTIES

4. Plaintiff is an individual who resides in Evansville, Indiana.

5. Defendant Arrow Financial Services LLC (“Arrow”) is a limited liability company with its principal place of business at 5996 W. Touhy Avenue, Niles, IL 60714.

6. Defendant Arrow acts as a collection agency and also engages in the business of buying bad debts allegedly owed by consumers for a small fraction of face value and enforcing the debts against the consumers.

7. Defendant Arrow is a “debt collector” as defined in the FDCPA.

FACTS

8. On or about Aug. 21, 2007, defendant Arrow sent plaintiff the collection letter attached as Exhibit A.

9. Exhibit A sought to collect an alleged debt incurred for personal, family or household purposes.

10. By letter of September 13, 2007, received September 17, 2007, plaintiff notified Arrow Financial Services that he disputed the alleged debt. A copy of plaintiff’s letter and the certified mail receipt is in Exhibit B.

11. At no time did Arrow provide verification of the alleged debt.

12. Instead, Arrow placed the alleged debt for collection with Firstsource Advantage, LLC, another debt collector.

13. On November 8, 2007, Firstsource Advantage LLC sent plaintiff the letter attached as Exhibit C.

VIOLATION ALLEGED

14. Defendant Arrow Financial Services, LLC violated 15 U.S.C. §§1692 and 1692c by continuing collection efforts, or causing Firstsource to continue collection efforts,

without verifying the debt.

WHEREFORE, the Court should enter judgment in favor of plaintiff and against defendants for:

- (1) Actual damages;
- (2) Attorney's fees, litigation expenses and costs of suit;
- (3) Such other and further relief as the Court deems proper.



Daniel A. Edelman

Daniel A. Edelman
Cathleen M. Combs
James O. Lattuner
Francis R. Greene
EDELMAN, COMBS, LATTURNER
& GOODWIN, L.L.C.
120 S. LaSalle Street, 18th Floor
Chicago, Illinois 60603
(312) 739-4200
(312) 419-0379 (FAX)

JURY DEMAND

Plaintiff demands trial by jury.



Daniel A. Edelman

NOTICE OF LIEN

Please be advised that we claim a lien upon any recovery herein for 1/3 or such amount as a court awards.



Daniel A. Edelman

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Tiffany N. Hardy
EDELMAN, COMBS, LATTURNER
& GOODWIN, L.L.C.
120 S. LaSalle Street, 18th Floor
Chicago, Illinois 60603
(312) 739-4200
(312) 419-0379 (FAX)

EXHIBIT A

PO Box 1206
Oaks, PA 19456-1206



Please send all correspondence to:
5996 W Touhy Ave, Niles, IL 60714
Pay online at www.arrowcustomer.com

OFFICE HOURS: Central Time
Monday thru Thursday: 8:00 am - 9:00 pm
Friday: 8:00 am - 5:30 pm
Saturday: 8:00 am - Noon

Phone Number : 800-481-7597 Ext 2419

August 21, 2007

2844 - 71

37291787 - 2016
DANIEL M BARR
127 PLAZA DR
EVANSVILLE IN 47715-3514

ID Number : 37291787
Re: FIFTH THIRD BANK
Account # : XXXXXXXXXX
Total Current Balance: \$862.55

Redacted

PAST DUE BALANCE

Dear DANIEL M BARR,

ARROW FINANCIAL SERVICES purchased your FIFTH THIRD BANK account with FIFTH THIRD BANK SOUTHERN INDI EASTLAND charges. As the new owner of your account we would like to give you another chance to resolve your outstanding balance. Our company prides itself in working with our new customers to provide solutions to help you take a step towards resolving this matter.

Please take this opportunity to contact your account representative at our toll free number 800-481-7597 ext. 2419. We look forward to working with you.

Unless you notify us within 30 days after receiving this letter that you dispute the validity of the debt or any portion thereof, we will assume the debt is valid. If you notify us in writing within 30 days after receiving this notice, that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such verification or judgment. Also, upon your written request within 30 days, we will provide you with the name and address of the original creditor if different from the current creditor.

Important notice required by law: This agency is engaged in the collection of debts. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

NATASHA WILSON

NATASHA WILSON
Account Representative

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION.

X PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU! X

2844 - 71

August 21, 2007

Please see reverse side if you would like to pay by credit card

ID Number : 37291787
Re: FIFTH THIRD BANK
Account # : XXXXXXXXXX
Total Current Balance: \$862.55

Redacted

☐ Please check here if there is a new phone# or address change and enter information on reverse side

37291787 - 2016
DANIEL M BARR
127 PLAZA DR
EVANSVILLE IN 47715-3514

803 WS1
ARROW FINANCIAL SERVICES
21031 Network Place
Chicago, IL 60678-1031
|||||

0037291787 0000007690813980 2016 0000086255 3

EXHIBIT B

September 13, 2007

Arrow Financial Services
5996 W. Touhy Ave.
Niles, IL 60714

Re: Fifth Third Bank

Redacted

Account # [REDACTED]

To Whom It May Concern:

This letter is to notify you that I am disputing the debt on the above referenced account. I have not had an account with Fifth Third since 2001 and don't believe I owe the amount of \$862.55. I have spoken with a customer service representative from your company and requested documentation of cancelled checks or any other proof you have to verify this is my account.

To date, I have not received any verification that this debt belongs to me. This is my formal request that you provide verification of this debt and also the name and address of the original creditor. If such documentation is not received by me within 30 days, I will assume this debt is invalid.

Sincerely,

Daniel M. Barr


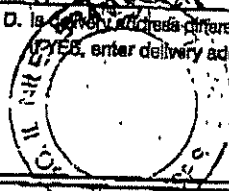
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature X  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) J. S. Smith</p> <p>C. Date of Delivery 9-17-07</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
1. Article Addressed to: Arrow Financial Services 5996 W. Tarkenton Ave Niles, IL 60714			
2. Article Number (Transfer from service label)		7005 1820 0006 0961 3789	
PS Form 3811, February 2004		Domestic Return Receipt 102586-02-M-1540	

EXHIBIT C

6341 INDUCON DRIVE EAST
SANBORN, NY 14132-9097



11-08-07 8997342

firstsource

Firstsource Advantage, LLC (formerly known as Account Solutions Group, LLC)
205 Bryant Woods South, Amherst, NY 14228
1-888-872-1566

RE: ARROW FINANCIAL SERVICES, LLC
OUR REF #: 8997342
CREDITOR ACCT #: [REDACTED]
BALANCE: \$862.55

Redacted

DANIEL M BARR
127 PLAZA DR
EVANSVILLE IN 47715-3514

IN1
A-LG9-AM-05530



FIRSTSOURCE ADVANTAGE, LLC
PO BOX 628
BUFFALO, NY 14240-0628

IMPORTANT: To receive proper credit, be sure to enclose this portion with your payment.

Dear Daniel M Barr:

This account has been listed with our office for collection. Enclose your payment in the envelope provided and make your check or money order payable to Firstsource Advantage, LLC. Payments only should be sent to our mailing address: PO Box 628, Buffalo, NY 14240-0628. All correspondence and inquiries should be sent to our licensed address at 205 Bryant Woods South, Amherst, NY 14228. (Please note the above bar coded address, 6341 Inducon Drive East, Sanborn, NY 14132, located in the left hand upper corner of this notice, is not the address of Firstsource Advantage, LLC. This address is for processing undeliverable mail only. Please do not send correspondence or payment to that address).

Should you wish to speak to a representative concerning your account you may contact this office toll free at 1-888-872-1566. Please refer to the account number indicated above. Our office hours are Monday through Friday 8am-10pm Eastern Time, Saturday 8am-12pm Eastern Time, and Sunday 5pm-10pm Eastern Time.

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Please note that if you have previously received correspondence on this account or any other account from Account Solutions Group, LLC ("ASG"), that ASG has changed its name to Firstsource Advantage, LLC.

Sincerely,

Firstsource Advantage, LLC
A Professional Debt Recovery Agency

"14- Sharada - Senior person
Raul Sin - Supervisor

[205 Bryant Woods South
Amherst NY 14228